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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

16 CORNELIUS CLARK, CHESTER LEWIS,
17 JOHN PONDS, AND GARRANT COSEY, on
behalf of themselves and all other persons
similarly situated,

18 Plaintiffs,
19 vs.

20 ANNA'S LINENS, INC.,

21 Defendant.

CLASS ACTION

Case No. C05-02670-MMC

**ORDER APPROVING STIPULATION
REGARDING EXTENSION OF CLASS
CERTIFICATION DISCOVERY AND
BRIEFING SCHEDULES AND STATUS
CONFERENCE; VACATING NOVEMBER
9, 2007 STATUS CONFERENCE**

Hon. Maxine M. Chesney

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10745-1

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STIPULATION

Plaintiffs Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey (“Plaintiffs”) and Defendant Anna’s Linens, Inc. (“Anna’s Linens”) by and through their counsel of record agree that the a number of imminent deadlines previously approved by this Court should be revised as set forth below for the following reasons: As set forth in the Joint Status Conference Statement, the Parties have reached agreement in principle on the major terms of settlement of the Plaintiffs’ claims, which is conditioned on the termination of the Equal Employment Opportunity Commission’s (“EEOC”) investigation of charges of discrimination filed by plaintiffs and other persons represented by plaintiffs’ counsel then pending before the EEOC’s San Francisco and Los Angeles offices. The EEOC has not completed its investigation and the EEOC and Anna’s Linens have engaged and are continuing to engage in negotiations regarding the resolution of those charges. The extension of the deadlines as requested herein, as shown below in bold, would allow the Parties to focus exclusively on these tasks and also would conserve the Parties’ resources that would otherwise necessarily be spent in preparing to meet deadlines related to class certification discovery and briefing that will be mooted by the finalization of the Parties’ settlement and resolution of the EEOC charges. The Parties, hereby stipulate and respectfully request that the Court modify, approve, and adopt the Class Certification Discovery and Briefing Schedules and Status Conference as follows:

Non-Expert Discovery Schedule

Complete non-expert interrogatories and document discovery by 07/02/07

Complete non-expert depositions (e.g., Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by 07/02/07

Expert Discovery and Reports

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by 10/31/06

Plaintiffs' expert(s) to be made available for deposition by 1/25/08

Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by 2/1/08

Defendants' expert(s) to be made available for deposition by 2/8/08

Plaintiffs to serve rebuttal expert reports by 2/15/08

Defendant to serve supplemental expert reports by 2/22/08/

1 Expert discovery cut-off 2/29/08

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3 Class Certification Briefing Schedule

4 Motion for Class Certification to be filed by 3/7/08

5 Defendants' Opposition to Class Certification to be filed by 4/4/08

6 Plaintiffs' Reply to be filed by 4/18/08

7 Hearing on Motion for Class Certification (on or after) 5/2/08

8 Status Conference To be determined by the Court

9 SO STIPULATED.

10 Dated: November 2, 2007 Respectfully submitted,

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1 Dated: November 2, 2007

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ORDER APPROVING STIPULATION REGARDING EXTENSION OF CLASS CERTIFICATION DISCOVERY AND BRIEFING
SCHEDULES AND STATUS CONFERENCE; VACATING NOVEMBER 9, 2007 STATUS CONFERENCE - CASE NO. C05-02670-
MMC

ORDER

The November 9, 2007 Status Conference is VACATED.

The Court has considered the above Stipulation, and good cause appearing therefor, the Court modifies, approves, and hereby ORDERS the following schedule and deadlines for class certification discovery and briefing. A Status Conference will be scheduled for a date to be determined by the Court following the Court's ruling on Plaintiffs' Motion for Class Certification.

Non-Expert Discovery Schedule

Complete non-expert interrogatories and document discovery by	07/02/07
Complete non-expert depositions (<i>e.g.</i> , Parties, Fed.R.Civ.P. 30(b)(6) deponents, witnesses and records custodians) by	07/02/07

Expert Discovery and Reports

Plaintiffs to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	10/31/06
Plaintiffs' expert(s) to be made available for deposition by	1/25/08
Defendants to provide Fed.R.Civ.P. 26(a)(2) expert disclosures by	2/1/08
Defendants' expert(s) to be made available for deposition by	2/8/08
Plaintiffs to serve rebuttal expert reports by	2/15/08
Defendant to serve supplemental expert reports by	2/22/08/
Expert discovery cut-off	2/29/08

Class Certification Briefing Schedule

Motion for Class Certification to be filed by	3/7/08
Defendants' Opposition to Class Certification to be filed by	4/4/08
Plaintiffs' Reply to be filed by	4/18/08
Hearing on Motion for Class Certification	5/2/08

Status Conference

To be determined by the Court

IT IS SO ORDERED.

DATED: November 7, 2007

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ORDER APPROVING STIPULATION REGARDING EXTENSION OF CLASS CERTIFICATION DISCOVERY AND BRIEFING SCHEDULES AND STATUS CONFERENCE; VACATING NOVEMBER 9, 2007 STATUS CONFERENCE - CASE NO. C05-02670-MMC

THE HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE

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